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Attorneys for Plaintiff
E.PIPHANY, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E.PIPHANY, INC., a California corporation,

Plaintiff,

vs.

ST. PAUL FIRE & MARINE INSURANCE
COMPANY, a Minnesota corporation,

Defendant.

) Case No.: 5:08-CV-02621-JW

) Hon. James Ware

) **PROOF OF SERVICE**
) **SUMMONS AND COMPLAINT**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Attached hereto is the Proof of Service of the Summons and Complaint served upon St. Paul
Fire & Marine Ins. Co.

Dated: June 25, 2008

GAUNTLETT & ASSOCIATES

By: /s/ David A. Gauntlett

David A. Gauntlett

James A. Lowe

Christopher Lai

Attorneys for Plaintiff
E.piphany, Inc.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): GAUNTLETT & ASSOCIATES ATTORNEYS AT LAW CHRISTOPHER LAI, 18400 VON KARMAN, 300 IRVINE, CA 926120000		TELEPHONE NO.: (949) 553-2100		FOR COURT USE ONLY <div style="font-size: 1.2em; color: blue;">Page 3 of 4</div>	
ATTORNEY FOR (Name):		Ref. No. or File No. <div style="text-align: right; font-weight: bold;">10513-005</div>			
Insert name of court, judicial district or branch court, if any: <div style="text-align: center; font-weight: bold;">UNITED STATES DISTRICT COURT</div> <div style="text-align: center; font-weight: bold;">, CA</div>					
PLAINTIFF: <div style="text-align: center; font-weight: bold;">E.PIPHANY, INC. A CALIFORNIA CORPORATION</div>					
DEFENDANT: <div style="text-align: center; font-weight: bold;">ST. PAUL FIRE & MARINE INSURANCE COMPANY</div>					
PROOF OF SERVICE		DATE:	TIME:	DEPT/DIV:	CASE NUMBER: <div style="text-align: center; font-weight: bold;">CV-08-2621-JW</div>

UNITED STATES DISTRICT COURT DECLARATION OF SERVICE

I, THE UNDERSIGNED, DECLARE UNDER PENALTY OF PERJURY THAT I WAS ON THE DATE HEREIN REFERRED TO OVER THE AGE OF 18 YEARS AND NOT A PARTY TO THE WITHIN ENTITLED ACTION. I SERVED THE:

SEE ATTACHED

ON: ST. PAUL FIRE & MARINE INSURANCE COMPANY, A MINNESOTA CORPORATION

AT: 2730 GATEWAY OAKS DR -100
SACRAMENTO, CA 95833

IN THE ABOVE MENTIONED ACTION BY DELIVERING TO AND LEAVING WITH:
BECKY DEGEORGE, CLERK, CSC - AGENT FOR SERVICE

ON: 06/12/2008
AT: 01:50 pm

Manner of service in compliance with Federal Code of Civil Procedure.

Fee for Service: **35.00**

County: **SACRAMENTO**
 Registration No.: **2003-45**
Legalese Attorney Service, Inc.
1754 36th Street
Sacramento, CA 95816
(916) 453-2860

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the return of service and statement of service fees is true and correct and that this declaration was executed on **June 25, 2008**.

Signature: 
EVELYN PETTENGELL

PROOF OF SERVICE

ATTACHMENT

SUMMONS; COMPLAINT FOR: (1) DECLARATORY JUDGMENT; (2) BREACH OF CONTRACT; CERTIFICATION BY PLAINTIFF E. PIPHANY, INC. OF INTERESTED ENTITIES OR PARTIES; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; STANDING ORDER FOR CIVIL PRACTICE IN CASES ASSIGNED FOR ALL PURPOSES TO MAGISTRATE JUDGE PATRICIA V TRUMBULL; STANDING ORDER FOR ALL JUDGES OF THE NORTHERN DISTRICT OF CALIFORNIA- CONTENTS OF JOINT CASE MANAGEMENT STATEMENT; STANDING ORDER REGARDING CASE MANAGEMENT IN CIVIL CASES; U.S.D.C. NORTHERN DISTRICT OF CALIFORNIA - WELCOME TO THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, CLERK'S OFFICE, SAN JOSE DIVISION; NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION CRIMINAL AND CIVIL LAW AND MOTION/TRIAL/ SETTLEMENT/ CASE MANAGEMENT/ DISMISSAL HEARING SCHEDULES; GENERAL ORDER NO.40- PROHIBITION OF BIAS; U.S.S DISTRICT COURT NORTHER DISTRICT CALIFORNIA-ECF REGISTRATION INFORMATION HANDOUT; GENERAL ORDER NO. 45- ELECTRONIC CASE FILING; OFFICE OF THE CLERK, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA- NOTICE OF ELECTRONIC AVAILABILITY OF CASE FILE INFORMATION; GENERAL ORDER 53 - PRIVACY; NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS; WAIVER OF SERVICE OF SUMMONS; INSTRUCTIONS FOR COMPLETION OF ADR FORMS REGARDING SELECTION OF AN ADR PROCESS (ADR LOCAL RULE 3-5); ADR CERTIFICATION BY PARTIES AND COUNSEL; STIPULATION AND ORDER SELECTING ADR PROCESS; NOTICE OF NEED FOR ADR PHONE CONFERENCE; IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA- ORDER OF THE CHIEF JUDGE - IN RE: ELECTRONIC FILING IN CASES WITH UNREPRESENTED PARTIES; CASE DESIGNATED FOR ELECTRONIC FILE NOTICE; PLAINTIFF E. PIPHANY, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT ON ST. PAUL FIRE & MARINE INSURANCE COMPANY'S DUTY TO DEFEND AND BREACH OF ITS DUTY TO DEFEND; DECLARATION OF JAMES A. LOWE IN SUPPORT OF PLAINTIFF E. PIPHANY, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT OF ST. PAUL FIRE & MARINE INSURANCE COMPANY'S DUTY TO DEFEND AND BREACH OF ITS DUTY TO DEFEND; DECLARATION OF RYAN J. PADDEN IN SUPPORT OF PLAINTIFF E. PIPHANY, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT ON ST. PAUL FIRE & MARINE INSURANCE COMPANY'S DUTY TO DEFEND AND BREACH OF ITS DUTY TO DEFEND; DECLARATION OF BRAD STEINER IN SUPPORT OF PLAINTIFF E. PIPHANY, INC.'S MOTION FOR SUMMARY JUDGMENT ON ST. PAUL FIRE & MARINE INSURANCE COMPANY'S DUTY TO DEFEND AND BREACH OF ITS DUTY TO DEFEND; ORDER; CERTIFICATE OF SERVICE